

REMARKS

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested. Claims 1-3 and 5-20 are currently pending in the application and stand rejected.

Rejection Under 35 U.S.C. §112

Claims 1-3 and 5-20 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, as set forth in paragraphs 1-2 of the Office Action. In view of the claims as presently amended, applicants respectfully traverse this rejection. Applicants note the Primary Examiner's statement that claims 1-3 and 5-20 would be allowable if amended to overcome the rejection under 35 U.S.C. §112. Applicants submit that the subject amendment to the claims overcomes the rejection under 35 U.S.C. §112 and that the claims, as amended, are now allowable.

The Primary Examiner rejected claims 1 and 13 and stated that the fascia only surrounds the foam on front, top and bottom. Accordingly, claims 1 and 13 have been amended to recite that the fascia surrounds a portion of the foam portion.

The Primary Examiner also rejected claims 1 and 13 with respect to the specific position of the high-density panel. Accordingly, claims 1 and 13 have been amended to recite a high density panel disposed adjacent at least one of the plurality of non-metallic cell matrixes to preload the elongated beam during a collision, without reference to its specific location.

Clearly, at least the embodiment of Fig. 15 shows the elements recited in claims 1 and 13. As the Primary Examiner is well aware, the elements of a particular claim need not be found in every Figure, as long as at least one Figure discloses such elements. Thus, Figs. 17 and 19 need not

necessarily show foam encapsulating the matrixes.

Closing Remarks


For the foregoing reasons, applicants submit that the subject application is in condition for allowance and earnestly solicit an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

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